

Exhibit 1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

HARMONY HAUS WESTLAKE, L.L.C.,
et al.,

Plaintiffs and Counter-Defendants,

v.

PARKSTONE PROPERTY OWNERS
ASSOCIATION, INC.,

Defendant and Counter-Plaintiff.

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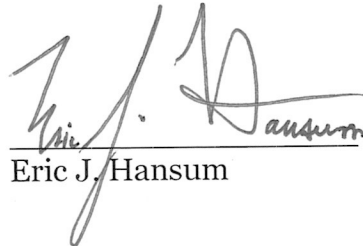
CIVIL NO. 1-20-CV-486-XR

Declaration of Eric J. Hansum

I am over 18 years of age, of sound mind, and fully competent to make this Declaration. All statements contained in this Declaration are based on my personal knowledge. Attached to this exhibit are true and correct copies of select pages from the court reporter's draft of Dr. Beare's deposition that was taken on January 14, 2021, in the above lawsuit. I have reviewed the foregoing Declaration and I declare under penalty of perjury that the foregoing statements are true and correct.

Date: _____

1/25/21


Eric J. Hansum

1 And there's only a few places that know how to do it.

2 Q. And I -- and I believe Harmony Haus, like other
3 sober living homes, obviously has various rules that its
4 residents need to follow as well.

5 Is that -- is that fair to say?

6 A. It's fair to say.

7 Q. What do you know about those rules?

8 A. I don't know the specifics of Harmony Haus and
9 their accountability. I'm not a sober living guy. I know
10 what the results are. People stay sober. There are more
11 than any -- there's -- there's only three sober living
12 facilities in central Texas that -- that are doing what I
13 refer to as that mature combination.

14 And I know they have to stay sober, and I know
15 they have to go to a certain amount of meetings. They
16 have to either be -- they have to be working and be in an
17 IOP, which is an intensive outpatient program, which is
18 the next level of -- of -- of healing after inpatient
19 treatment. Certain -- certainly any violations of the --
20 the house rules have to be addressed.

21 I don't know exactly whether -- I know one
22 thing. It's not that -- it's not just one violation, and
23 you're out of here. It's a conversation, and then the
24 community tries to help the person transform. I know
25 that's how Harmony Haus works. I don't know all the

1 details of their rules and regulations, though.

2 Q. So looking at your resume, it looks like you're
3 kind of an actor, director, and a composer, and many other
4 things, is that fair to say, kind of a varied career?

5 A. Yeah, and I've continued that throughout my
6 29 years as a psychotherapist and addiction professional,
7 but before that, I did make my living for a little while
8 as an actor and singer and composer.

9 Q. Have you ever served on a homeowners association
10 board?

11 A. No.

12 Q. Any type of property owners association board?

13 A. No, I -- I've never been on a homeowners board.

14 Q. Does the area where you live have a property
15 owners association?

16 A. Yes.

17 Q. Do you know if they have fines or not?

18 A. I don't.

19 Q. Have you ever had to deal with the issue of
20 fines in a property owners association?

21 A. Not that I recall.

22 Q. Do you have any training or experience with
23 homeowner association boards?

24 A. No.

25 Q. Do you belong to any associations that deal with

1 property owner associations?

2 A. I believe just by virtue of living in this
3 house, I'm part of some association, but I -- I'm -- I
4 really don't -- I don't know that much about it.

5 Q. And I'm presuming it's safe to say that
6 there's -- there's no periodicals, journals, articles, or
7 other materials that you've ever published relating to
8 parking or -- or property owners associations, right?

9 A. That's correct.

10 Q. I'm -- I know you obviously may have some
11 opinions that relate in this case. Have -- have you
12 examined any other property owner associations --

13 A. No.

14 Q. -- for this case? I'm sorry. Is that a no?

15 A. That's a no, correct. I said no.

16 Q. And I know it's also fair to say there's --
17 there's no training or experience you have that would
18 allow you to really testify about property owners
19 association boards; is that fair?

20 A. Yes, I suppose that's fair. I -- I think I know
21 as -- as much as anybody about -- you know, there's --
22 there's a -- there's five sober living homes in my
23 neighborhood. I know a little bit about it. I'm glad to
24 have them here, glad to be in the solution as opposed to
25 the other options.

1 literature on the importance of solid sober living and the
2 relapse rates, and -- but I don't know how relevant all
3 that would be, so, and -- and more than my own personal
4 experience, which is significant.

5 Q. Are there any documents you think you may need
6 to review in the future before you testify at trial, if
7 you so testify?

8 A. Possibly.

9 Q. Is there anything you think you would like to
10 see?

11 A. I -- I -- I think it would be really -- for --
12 for me, it's -- it would be really easy to pull up five or
13 six different current studies about the importance of
14 solid sober living, especially in this epidemic -- in this
15 pandemic, and that some flexibility is warranted. It's a
16 life-and-death issue. I don't think I -- I've -- I've
17 seen several scholarly articles that refer to that, and
18 I -- if I were to go to trial, I would probably pull those
19 up and be able to articulate that better.

20 Q. Have you ever visited the sober living house in
21 Parkstone?

22 A. I have.

23 Q. When was that last visit?

24 A. That was actually before -- before any residents
25 moved in, whenever that was.

1 to say?

2 A. I've talked to him a couple of times about other
3 things but not this issue.

4 Q. Not -- not anything in this case; is that fair
5 to say?

6 A. That's correct.

7 Q. What are the issues you're talking about. Is
8 that other -- other patient -- other residents or --

9 A. We're -- no, we're in -- the central Texas
10 addiction industry is not a giant industry. We wind up at
11 events together, and we have -- we know all the same
12 people, so it's --

13 Q. Are these just like casual friendly
14 conversations, then, or --

15 A. Yes, for the most part. Nothing to do with this
16 case.

17 Q. Do you have any specific knowledge about the
18 medical resident histories -- let me -- let me ask that
19 again. Do you have any special knowledge about the
20 medical histories of residents that are in the Harmony
21 Haus in Parkstone?

22 A. No.

23 Q. And -- and I believe it's correct to assume that
24 you haven't read any deposition testimony in this case,
25 too; is that right?

1 continuum of care, which, you know, we like it to be six
2 months in sober living and doing an IOP and moving toward
3 helping other people. It takes a long time. It takes a
4 certain size of a community to be able to pull that off,
5 and it takes a certain kind of leadership to facilitate
6 that.

7 But if they don't complete that, in my
8 experience, the lapse potential is giant and as well the
9 potential for, you know, advancing the disease even
10 further and death.

11 Q. Well, and -- and that's kind of something I want
12 to focus on. So it seems like there's kind of a range of
13 outcomes of what can happen if -- if someone's membership
14 ends in a sober living home, right?

15 A. There's a range. That's correct.

16 Q. Some people may go to another sober living home?

17 A. Yeah, there's lots of -- lots of options. Other
18 people -- some people will go out and die, especially now
19 with the proliferation of Fentanyl in -- in the system,
20 and, you know, the -- yes, it's -- there's -- there's many
21 different options for --

22 Q. If --

23 A. -- for an addict, much -- much improved that --
24 there -- there's plenty of literature on that that shows
25 that 90 days in inpatient -- in an inpatient setting

1 Q. So if I'm hearing you correctly --

2 A. There's --

3 THE REPORTER: I'm sorry. One at a time,
4 please.

5 Q. (BY MR. HANSUM) Go ahead. I thought you were
6 done. I'm sorry. Go ahead.

7 A. I was done. Thanks.

8 Q. I -- so if I'm hearing you correctly, then, is
9 there can't be a generalization as to how much time
10 someone may need in a sober living home?

11 A. That's correct.

12 Q. And so if -- whether we discharge a member in
13 three months or six months or nine months, it would be a
14 different result in each particular case.

15 Is that fair to say?

16 A. That's fair to say.

17 Q. And so --

18 A. Three months is rare.

19 Q. -- we don't necessarily know --

20 A. Three months is --

21 Q. I'm sorry. We don't necessarily know, then, if
22 a discharge would result in death for a particular
23 individual because it varies by each individual?

24 A. Yeah, it's a high risk, though. I mean, you can
25 look at the numbers, especially for -- for heroin addicts.